

ESTTA Tracking number: **ESTTA389142**

Filing date: **01/19/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Universal City Studios LLLP
Granted to Date of previous extension	01/19/2011
Address	100 Universal City Plaza1280/6 Universal City, CA 91608 UNITED STATES

Attorney information	David Donahue Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza New York, NY 10017 UNITED STATES ddonahue@fzlz.com Phone:212-813-5900
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### Applicant Information

Application No	85017499	Publication date	09/21/2010
Opposition Filing Date	01/19/2011	Opposition Period Ends	01/19/2011
Applicant	Cadestansa, LLC P.O. Box 10348 San Rafael, CA 94912 UNITED STATES		

### Goods/Services Affected by Opposition


Class 041. First Use: 2010/06/30 First Use In Commerce: 2010/06/30  
All goods and services in the class are opposed, namely: Entertainment services in the nature of live musical performances

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

### Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	2438538	Application Date	04/03/2000
Registration Date	03/27/2001	Foreign Priority Date	NONE
Word Mark	UNIVERSAL		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1997/03/21 First Use In Commerce: 1997/03/21 PRERECORDED VIDEO TAPES, AND PRERECORDED VIDEO CASSETTES ALL FEATURING MOTION PICTURES AND TELEVISION PROGRAMS; [ CD-ROM PROGRAMS FEATURING MOTION PICTURES AND TELEVISION PROGRAMS ]; MUSICAL SOUND RECORDINGS

U.S. Registration No.	2098208	Application Date	01/17/1996
Registration Date	09/16/1997	Foreign Priority Date	NONE
Word Mark	UNIVERSAL RECORDS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/02/13 First Use In Commerce: 1996/02/13 prerecorded phonograph records, prerecorded audio cassette tapes, and compact discs, prerecorded audio-visual records in analog disc and digital disc configurations, and analog magnetic tape and digital magnetic tape configurations, all containing music		

U.S. Registration No.	3393190	Application Date	02/16/2006
Registration Date	03/04/2008	Foreign Priority Date	NONE
Word Mark	UNIVERSAL RECORDS SOUTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2006/05/00 First Use In Commerce: 2006/05/00		

	Pre-recorded audio tapes, discs and cassettes, video tapes, digital audio and audio video tapes and discs, CDs, DVDs, laser discs, and phonograph records featuring music and entertainment; theatrical and musical sound and video recordings; downloadable ring tones, graphics, games, music, mp3 files, images and videos via a global computer network and wireless devices; computer
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U.S. Registration No.	3396207	Application Date	02/16/2006
Registration Date	03/11/2008	Foreign Priority Date	NONE
Word Mark	UNIVERSAL RECORDS SOUTH		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 2006/05/00 First Use In Commerce: 2006/05/00</p> <p>Production, distribution and publishing of music, fan clubs, development and dissemination of educational materials of others in the field of music and entertainment; production of sound recordings; record production; videotape production; publication of books and magazines, entertainment in the nature of ongoing radio programs, entertainment in the nature of live concerts and performances by musical artists and groups, entertainment services, namely, personal appearances by musical groups, musical artists and celebrities; entertainment services in the nature of performances by musical artists through the medium of television programs, radio programs and recordings, entertainment services rendered by musical artists, namely, recording performances; entertainment services, namely, providing a website featuring musical performances, musical videos, photographs, and multimedia materials, entertainment services, namely, providing on-line reviews of music, musical artists and music videos, entertainment services, namely, providing pre-recorded music, information in the field of music and commentary and articles about music, all on-line via a global computer network; conducting entertainment exhibitions in the nature of music festivals, entertainment services, namely, conducting exhibitions in the field of music and the arts; organizing exhibitions for entertainment purposes featuring music and the arts, and publishing of web magazine</p>		

U.S. Registration No.	2896020	Application Date	07/31/2000
Registration Date	10/19/2004	Foreign Priority Date	NONE
Word Mark	UNIVERSAL SMASH HITS		

Design Mark	<b>UNIVERSAL SMASH HITS</b>
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2000/09/00 First Use In Commerce: 2000/09/00 MUSICAL SOUND RECORDINGS

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	UNIVERSAL; UNIVERSAL MUSIC; UNIVERSAL RECORDS; UNIVERSAL MUSIC GROUP; UNIVERSAL MUSIC PUBLISHING GROUP; UNIVERSAL MUSIC LATIN ENTERTAINMENT; UNIVERSAL MUSIC LATINO; UNIVERSAL MUSIC NASHVILLE; UNIVERSAL MUSIC ENTERPRISES; UNIVERSAL RECORDS SOUTH; UNIVERSAL SMASH HITS; UNIVERSAL REPUBLIC RECORDS; and UNIVERSAL MOTOWN		
Goods/Services	each in connection with a wide variety of music-related and entertainment-related goods and services		

Attachments	76016015#TMSN.gif ( 1 page )( bytes ) 78816461#TMSN.jpeg ( 1 page )( bytes ) 78816495#TMSN.jpeg ( 1 page )( bytes ) 76098378#TMSN.gif ( 1 page )( bytes ) F0738234.PDF ( 30 pages )(160046 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by USPS Express Mail Post Office to Addressee on this date.

Signature	/ddonahue/
Name	David Donahue
Date	01/19/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 85/017,499

Mark: UNIVERSAL TONE

UNIVERSAL CITY STUDIOS LLLP,

Opposer,

- against -

CADESTANSA, LLC,

Applicant.

Opposition No. \_\_\_\_\_

**NOTICE OF OPPOSITION**

Opposer, Universal City Studios LLLP (“Opposer”), a Delaware limited liability limited partnership with its principal place of business at 100 Universal City Plaza, Universal City, California 91608, believes that it would be damaged by the issuance of a registration for the mark applied for in Application Serial No. 85/017,499 (the “Application”) filed by Applicant Cadestansa, LLC (“Applicant”) on April 19, 2010 for “Entertainment services in the nature of live musical performances” in International Class 41, and therefore opposes the same. As grounds for this opposition, Opposer, by its counsel, Fross Zelnick Lehrman & Zissu, P.C., states as follows:

1. For many years, Opposer and its licensees (hereafter, collectively, “Opposer”) have provided, and Opposer continues to provide, a wide variety of music-related and entertainment-related goods and services under the UNIVERSAL mark and an expanding family of UNIVERSAL-formative marks, including, without limitation, UNIVERSAL MUSIC, UNIVERSAL MUSIC GROUP, UNIVERSAL MUSIC PUBLISHING GROUP, UNIVERSAL MUSIC LATIN ENTERTAINMENT, UNIVERSAL MUSIC LATINO, UNIVERSAL MUSIC

NASHVILLE, UNIVERSAL MUSIC ENTERPRISES, UNIVERSAL RECORDS, UNIVERSAL RECORDS SOUTH, UNIVERSAL SMASH HITS, UNIVERSAL REPUBLIC RECORDS and UNIVERSAL MOTOWN (collectively, the “UNIVERSAL Marks”).

2. Opposer has extensively used and promoted its goods and services offered under the UNIVERSAL Marks, both individually and collectively, including on websites such as [www.universalmusic.com](http://www.universalmusic.com), [www.universalmotown.com](http://www.universalmotown.com), [www.universalmusica.com](http://www.universalmusica.com), and [www.universal-south.com](http://www.universal-south.com), among many others. Through this extensive promotion and use, and the success of Opposer’s offerings under these marks, Opposer’s UNIVERSAL Marks have come to represent enormous goodwill of Opposer.

3. Dating to long before Applicant’s filing of the Application or first use of Applicant’s Mark, Opposer’s UNIVERSAL Marks, both individually and as a family of marks, have become uniquely identified with Opposer, have come to identify the goods and services of Opposer exclusively, and have become famous.

4. Opposer owns the following federal registrations, among others, for certain of the UNIVERSAL Marks for use in connection with various music-related goods and services:

<b><u>Mark</u></b>	<b><u>Registration No.</u></b>	<b><u>Int’l Class</u></b>
UNIVERSAL (and design)	2,438,538	9
UNIVERSAL RECORDS	2,098,208	9
UNIVERSAL RECORDS SOUTH	3,393,190	9
UNIVERSAL RECORDS SOUTH	3,396,207	41
UNIVERSAL SMASH HITS	2,896,020	9

True and correct copies of printouts from the U.S. Patent and Trademark Office online Trademark Applications and Registrations Retrieval (“TARR”) database showing the foregoing registrations are attached hereto as Exhibit 1.

5. The foregoing registrations of Opposer are valid, subsisting, and in full force and effect. These registrations constitute evidence of the validity of the registered marks and of the registrations thereof, of Opposer’s ownership of the marks, and of Opposer’s exclusive right to use the marks in commerce in connection with the identified goods and services pursuant to Section 7(b) of the Lanham Act, 15 U.S.C. § 1057(b). Such registrations place others on constructive notice of Opposer’s claim of ownership thereof pursuant to Section 22 of the Lanham Act, 15 U.S.C. § 1072.

6. In addition, Opposer’s U.S. Trademark Registration Nos. 2,098,208, 2,438,538, and 2,896,020 are incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. § 1065, and thus serve as *conclusive* evidence of Opposer’s exclusive right to use the identified marks in connection with the goods and services identified in the subject applications pursuant to Section 33(b) of the Lanham Act, 15 U.S.C. § 1115(b).

7. On April 19, 2010, long after Opposer obtained rights in its UNIVERSAL Marks and long after Opposer’s UNIVERSAL Marks became famous, Applicant filed the Application based on its intention to use Applicant’s Mark in connection with “Entertainment services in the nature of live musical performances” in International Class 41 (“Applicant’s Services”).

8. Applicant’s Application alleges first use of Applicant’s Mark in U.S. commerce as of June 30, 2010.

FIRST GROUND FOR RELIEF  
LIKELIHOOD OF CONFUSION UNDER 15 U.S.C. § 1052(d)

9. Opposer incorporates by reference paragraphs 1 through 8 above as if fully set forth herein.

10. The June 30, 2010 first use date and April 19, 2010 filing date of Applicant's Application occurred many years after Opposer first used and acquired rights in the UNIVERSAL Marks. As such, Opposer's rights in the UNIVERSAL Marks are prior and superior to any rights Applicant may claim in Applicant's Mark.

11. Applicant's Mark, which consists of Opposer's UNIVERSAL mark combined with the music-related and descriptive word "TONE," is highly similar to Opposer's UNIVERSAL Marks in sight, sound and commercial impression.

12. Applicant's services are identical or closely related to the goods and services offered by Opposer under the UNIVERSAL Marks.

13. Applicant's use or registration of Applicant's Mark for Applicant's Services is likely to create the erroneous impression that Applicant's Services originate with, are sponsored or approved by, or are otherwise connected with Opposer or with the UNIVERSAL Marks or the goods and services provided by Opposer under those marks. Such use or registration is likely to cause confusion, cause mistake or to deceive the public, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

14. As a result of the foregoing, registration to Applicant of Applicant's Mark would be inconsistent with Opposer's prior exclusive rights in the UNIVERSAL Marks and would threaten to destroy Opposer's investment and goodwill in such marks. Opposer therefore will be injured by registration of Applicant's Mark.



SECOND GROUND FOR RELIEF  
DILUTION UNDER 15 U.S.C. § 1125(c)

15. Opposer incorporates by reference paragraphs 1 through 14 above as if fully set forth herein.

16. Opposer's UNIVERSAL Marks have been distinctive and famous since long before any priority date upon which Applicant can rely.

17. Applicant's use and registration of Applicant's Mark is likely to cause dilution of the distinctive quality of Opposer's UNIVERSAL Marks.

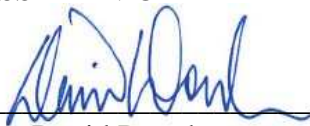
18. Any use or registration by Applicant of Applicant's Mark is in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c). Opposer therefore will be injured by registration of Applicant's Mark.

WHEREFORE, Opposer respectfully requests that this opposition be sustained and that registration to Applicant's Mark in all respects be denied.

Dated: New York, New York  
January 19, 2011

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By:  \_\_\_\_\_  
David Donahue

866 United Nations Plaza  
New York, New York 10017  
Telephone: (212) 813-5900  
Email: ddonahue@frosszelnick.com

*Attorneys for Opposer Universal City Studios LLLP*

# EXHIBIT 1

Thank you for your request. Here are the latest results from the [TARR web server](#).

This page was generated by the TARR system on 2010-05-05 21:09:02 ET

Serial Number: 76016015 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2438538

Mark



(words only): [UNIVERSAL](#)

Standard Character claim: No

Current Status: [Section 8 and 15 affidavits have been accepted and acknowledged.](#)

Date of Status: [2007-02-01](#)

Filing Date: [2000-04-03](#)

Transformed into a National Application: No

Registration Date: [2001-03-27](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 113](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [830 -Post Registration](#)

Date In Location: [2007-02-01](#)

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. [UNIVERSAL CITY STUDIOS LLLP](#)

Address:

[UNIVERSAL CITY STUDIOS LLLP](#)

100 UNIVERSAL CITY PLAZA

UNIVERSITY CITY, CA 91608

United States

**Legal Entity Type:** [Limited Liability Company](#)

**State or Country Where Organized:** [Delaware](#)

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### GOODS AND/OR SERVICES

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**International Class:** [009](#)

**Class Status:** [Active](#)

[PRERECORDED VIDEO TAPES, AND PRERECORDED VIDEO CASSETTES ALL FEATURING  
MOTION PICTURES AND TELEVISION PROGRAMS;; MUSICAL SOUND RECORDINGS](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1997-03-21](#)

**First Use in Commerce Date:** [1997-03-21](#)

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### ADDITIONAL INFORMATION

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**Design Search Code(s):**

[01.07.01](#) - [Globes with outlines of continents](#)

**Prior Registration Number(s):**

[1637487](#)

[2098208](#)

[2168031](#)

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### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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### PROSECUTION HISTORY

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**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

[2007-02-01](#) - Section 8 (6-year) accepted & Section 15 acknowledged

[2007-01-22](#) - Assigned To Paralegal

[2006-11-22](#) - Section 8 (6-year) and Section 15 Filed

[2006-11-22](#) - PAPER RECEIVED

[2006-11-20](#) - Case File In TICRS

[2001-03-27](#) - Registered - Principal Register

[2001-01-02](#) - Published for opposition

2000-12-01 - Notice of publication

2000-10-26 - Approved for Pub - Principal Register (Initial exam)

2000-10-23 - Assigned To Examiner

2000-10-04 - Examiner's amendment mailed

2000-09-27 - Non-final action mailed

2000-09-15 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

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**Attorney of Record**

Anne B. Nielsen

**Correspondent**

ANNE B NIELSEN

UNIVERSAL CITY STUDIOS

100 UNIVERSAL CITY PLZ

UNIVERSAL CITY CA 91608-1085

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Filing Dt: 04/03/2000

Reg #: [2438538](#)

Reg. Dt: 03/27/2001

Registrant: UNIVERSAL CITY STUDIOS, INC.

Mark: UNIVERSAL

**Assignment: 1**Reel/ Frame: [2612/0149](#)

Received: 11/18/2002

Recorded: 11/13/2002

Pages: 28

Conveyance: CHANGE OF NAME

Assignor: [UNIVERSAL CITY STUDIOS, INC.](#)

Exec Dt: 05/01/2002

Entity Type: CORPORATION

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Assignee: [UNIVERSAL CITY STUDIOS LLC](#)100 UNIVERSAL CITY PLAZA  
UNIVERSAL CITY, CALIFORNIA 91608

Correspondent: ANNE B. NIELSEN

LRW - 6TH FLOOR  
100 UNIVERSAL CITY PLAZA  
UNIVERSAL CITY, CA 91608**Assignment: 2**Reel/ Frame: [2617/0197](#)

Received: 11/22/2002

Recorded: 11/19/2002

Pages: 28

Conveyance: CHANGE OF NAME

Assignor: [UNIVERSAL CITY STUDIOS LLC](#)

Exec Dt: 05/02/2002

Entity Type: LIMITED LIABILITY COMPANY

Citizenship: DELAWARE

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Assignee: [UNIVERSAL CITY STUDIOS LP](#)100 UNIVERSAL CITY PLAZA  
UNIVERSAL CITY, CALIFORNIA 91608

Correspondent: ANNE B. NIELSEN

LRW-6TH FLOOR  
100 UNIVERSITY CITY PLAZA  
UNIVERSITY CITY, CA 91608**Assignment: 3**Reel/ Frame: [2619/0801](#)

Received: 11/27/2002

Recorded: 11/20/2002

Pages: 27

Conveyance: CHANGE OF NAME

Assignor: [UNIVERSAL CITY STUDIOS LP](#)

Exec Dt: 05/02/2002

Entity Type: LIMITED PARTNERSHIP

Citizenship: DELAWARE

Entity Type: LIMITED LIABILITY LIMITED  
PARTNERSHIP

Citizenship: DELAWARE

Assignee: [UNIVERSAL CITY STUDIOS LLLP](#)100 UNIVERSAL CITY PLAZA  
UNIVERSITY CITY, CALIFORNIA 91608

Correspondent: ANNE B. NIELSEN

LRW - 6TH FLOOR  
100 UNIVERSAL CITY PLAZA  
UNIVERSAL CITY, CA 91608**Assignment: 4**Reel/ Frame: [2584/0001](#)

Received: 12/09/2002

Recorded: 12/06/2002

Pages: 224

Conveyance: SECURITY INTEREST

Assignors: [UNIVERSAL CITY STUDIOS LLLP](#)

Exec Dt: 11/25/2002

Entity Type: LIMITED LIABILITY LIMITED  
PARTNERSHIP

[UNIVERSAL HOME VIDEO LLLP](#)

[UNIVERSAL STUDIOS HOME VIDEO LLC](#)

[UNIVERSAL STUDIOS TELEVISION ENTERPRISES LLLP](#)

**Assignee:** [JPMORGAN CHASE BANK, AS ADMINISTRATIVE AGENT](#)  
LIEN PERFECTION UNIT  
P.O. BOX 2558  
HOUSTON, TEXAS 77252

**Correspondent:** ACCESS INFORMATION SERVICES, INC.  
JACKIE LEE  
1773 WESTERN AVENUE  
ALBANY, NY 12203

### Assignment: 5

**Reel/ Frame:** [3058/0163](#)

**Received:** 03/28/2005

**Recorded:** 08/31/2004

**Pages:** 63

**Conveyance:** RELEASE OF SECURITY AGREEMENT

**Assignor:** [JPMORGAN CHASE BANK, AS ADMINISTRATIVE AGENT](#)

**Assignee:** [UNIVERSAL CITY STUDIOS LLLP ETAL](#)  
100 UNIVERSAL CITY PLAZA  
UNIVERSAL CITY, CALIFORNIA 91608

**Correspondent:** ACCESS INFORMATION SERVICES, INC.  
JACKIE LEE  
1773 WESTERN AVENUE  
ALBANY, NY 12203

**Citizenship:** NONE

**Exec Dt:** 11/25/2002

**Entity Type:** LIMITED LIABILITY LIMITED  
PARTNERSHIP

**Citizenship:** NONE

**Exec Dt:** 11/25/2002

**Entity Type:** LIMITED LIABILITY COMPANY

**Citizenship:** NONE

**Exec Dt:** 11/25/2002

**Entity Type:** LIMITED LIABILITY LIMITED  
PARTNERSHIP

**Citizenship:** NONE

**Entity Type:** BANK

**Citizenship:** NONE

**Exec Dt:** 07/28/2004

**Entity Type:** BANK

**Citizenship:** NONE

**Entity Type:** LIMITED LIABILITY LP/LLC

**Citizenship:** NONE

Search Results as of: 05/05/2010 09:09 PM

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Web interface last modified: October 18, 2008 v.2.0.2

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This page was generated by the TARR system on 2010-05-05 21:11:00 ET

Serial Number: 75044833 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2098208

Mark (words only): UNIVERSAL RECORDS

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2007-05-01

Filing Date: 1996-01-17

Transformed into a National Application: No

Registration Date: 1997-09-16

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 830 -Post Registration

Date In Location: 2007-05-01

---

#### LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. [UNIVERSAL CITY STUDIOS LLP](#)

**Address:**

[UNIVERSAL CITY STUDIOS LLP](#)  
[100 UNIVERSAL CITY PLAZA 1280-6TH FLOOR](#)  
[UNIVERSAL CITY, CA 91608](#)  
[United States](#)

**Legal Entity Type:** [LIMITED LIABILITY LIMITED PARTNERSHIP](#)

**State or Country Where Organized:** [Delaware](#)

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#### GOODS AND/OR SERVICES

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**International Class:** [009](#)

**Class Status:** [Active](#)

[prerecorded phonograph records, prerecorded audio cassette tapes, and compact discs, prerecorded audio-visual records in analog disc and digital disc configurations, and analog magnetic tape and digital magnetic tape configurations, all containing music](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [1996-02-13](#)

**First Use in Commerce Date:** [1996-02-13](#)

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#### ADDITIONAL INFORMATION

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**Disclaimer:** ["RECORDS"](#)

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#### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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#### PROSECUTION HISTORY

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**NOTE:** To view any document referenced below, click on the link to "[Trademark Document Retrieval](#)" shown near the top of this page.

[2007-05-01 - First renewal 10 year](#)

[2007-05-01 - Section 8 \(10-year\) accepted/ Section 9 granted](#)

[2007-04-27 - Assigned To Paralegal](#)

[2007-03-29 - Combined Section 8 \(10-year\)/Section 9 filed](#)

[2007-03-29 - PAPER RECEIVED](#)

[2007-03-05 - Case File In TICRS](#)

[2002-11-14 - Section 8 \(6-year\) accepted & Section 15 acknowledged](#)

[2002-09-23 - Section 8 \(6-year\) and Section 15 Filed](#)

[2002-09-23 - PAPER RECEIVED](#)

[1997-09-16 - Registered - Principal Register](#)

[1997-07-24 - Allowed for Registration - Principal Register \(SOU accepted\)](#)

[1997-07-22 - Assigned To Examiner](#)

[1997-07-18 - Statement of use processing complete](#)

1997-07-18 - Extension 1 granted  
1997-06-30 - Amendment to Use filed  
1997-06-30 - Extension 1 filed  
1997-02-04 - Noa Mailed - SOU Required From Applicant  
1996-11-12 - Published for opposition  
1996-10-11 - Notice of publication  
1996-09-05 - Approved for Pub - Principal Register (Initial exam)  
1996-08-29 - Examiner's amendment mailed  
1996-08-22 - Assigned To Examiner

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

MONIQUE CHENG JOE

**Correspondent**

MONIQUE CHENG JOE

UNIVERSAL STUDIOS

100 UNIVERSAL CITY PLZ

UNIVERSAL CITY, CA 91608

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**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Assignments on the Web > [Trademark Query](#)****Trademark Assignment Abstract of Title****Total Assignments: 4****Serial # :** [75044833](#)**Filing Dt:** 01/17/1996**Reg # :** [2098208](#)**Reg. Dt:** 09/16/1997**Registrant:** Universal City Studios, Inc.**Mark:** UNIVERSAL RECORDS**Assignment: 1****Reel/ Frame:** [2595/0969](#)**Received:** 10/10/2002**Recorded:** 10/07/2002**Pages:** 15**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [UNIVERSAL CITY STUDIOS, INC.](#)**Exec Dt:** 05/01/2002**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** LIMITED LIABILITY**Citizenship:** NONE**Assignee:** [USI-UCS HOLDINGS LLC](#)

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CALIFORNIA 91608

**Correspondent:** ANNE B. NIELSEN

LRW-6TH FLOOR

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CA 91608

**Assignment: 2****Reel/ Frame:** [2628/0885](#)**Received:** 12/05/2002**Recorded:** 12/02/2002**Pages:** 15**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [USI-UCS HOLDINGS LLC](#)**Exec Dt:** 05/01/2002**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** [USI ENTERTAINMENT INC.](#)

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CALIFORNIA 91608

**Correspondent:** ANNE B. NIELSEN

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CA 91608

**Assignment: 3****Reel/ Frame:** [2716/0586](#)**Received:** 04/23/2003**Recorded:** 04/21/2003**Pages:** 4**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [USI ENTERTAINMENT INC.](#)**Exec Dt:** 04/15/2003**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** LIMITED LIABILITY LIMITED  
PARTNERSHIP**Citizenship:** NONE**Assignee:** [UNIVERSAL CITY STUDIOS LLLP](#)

100 UNIVERSAL CITY STUDIOS

LRW-6TH FLOOR

UNIVERSAL CITY, CALIFORNIA 91606

**Correspondent:** ANNE B. NIELSEN

100 UNIVERSITY CITY PLAZA

LRW-6TH FLOOR

UNIVERSAL CITY, CA 91606

**Assignment: 4****Reel/ Frame:** [2733/0673](#)**Received:** 05/15/2003**Recorded:** 05/13/2003**Pages:** 4**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [USI ENTERTAINMENT INC.](#)**Exec Dt:** 05/07/2003**Entity Type:** CORPORATION**Citizenship:** DELAWARE

**Assignee:** [UNIVERSAL CITY STUDIOS LLLP](#)

100 UNIVERSAL CITY PLAZA

1280 - 6TH FLOOR

UNIVERSAL CITY, CALIFORNIA 91608

**Entity Type:** LIMITED LIABILITY LIMITED  
PARTNERSHIP**Citizenship:** NONE**Correspondent:** ANNE B. NIELSEN

100 UNIVERSAL CITY PLAZA

1280 - 6TH FLOOR

UNIVERSAL CITY, CA 91608

Search Results as of: 05/05/2010 09:11 PM

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Web interface last modified: October 18, 2008 v.2.0.2

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Serial Number: 78816461 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3393190

Mark

UNIVERSAL RECORDS SOUTH

(words only): [UNIVERSAL RECORDS SOUTH](#)

Standard Character claim: [Yes](#)

Current Status: [Registered](#).

Date of Status: [2008-03-04](#)

Filing Date: [2006-02-16](#)

Transformed into a National Application: [No](#)

Registration Date: [2008-03-04](#)

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 106](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: [650 -Publication And Issue Section](#)

Date In Location: [2008-01-31](#)

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. [Universal City Studios LLLP](#)

**Composed Of:**

The general partner of applicant is USI-UCS Holdings LLLP, a Delaware limited liability limited partnership.

The general partner of USI-UCS Holdings LLLP is Vivendi Universal Entertainment LLLP, a Delaware limited liability limited partners

**Address:**

Universal City Studios LLLP  
100 Universal City Plaza  
Universal City, CA 91608  
United States

**Legal Entity Type:** LIMITED LIABILITY LIMITED PARTNERSHIP

**State or Country Where Organized:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 009

**Class Status:** Active

Pre-recorded audio tapes, discs and cassettes, video tapes, digital audio and audio video tapes and discs, CDs, DVDs, laser discs, and phonograph records featuring music and entertainment; theatrical and musical sound and video recordings; downloadable ring tones, graphics, games, music, mp3 files, images and videos via a global computer network and wireless devices; computer

**Basis:** 1(a)

**First Use Date:** 2006-05-00

**First Use in Commerce Date:** 2006-05-00

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** "RECORDS"

**Prior Registration Number(s):**

1637487

2098208

2168031

2889475

---

**MADRID PROTOCOL INFORMATION**

---

(NOT AVAILABLE)

---

**PROSECUTION HISTORY**

---

**NOTE:** To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.

2008-03-04 - Registered - Principal Register

2008-01-31 - Law Office Registration Review Completed

2008-01-31 - Allowed for Registration - Principal Register (SOU accepted)

2008-01-30 - Statement of use processing complete

2008-01-30 - Extension 1 granted

2007-12-26 - Amendment to Use filed

2007-12-26 - Extension 1 filed

2007-12-26 - PAPER RECEIVED

2007-07-17 - Noa Mailed - SOU Required From Applicant

2007-04-24 - Published for opposition

2007-04-04 - Notice of publication

2007-03-05 - Law Office Publication Review Completed

2007-03-03 - Approved for Pub - Principal Register (Initial exam)

2007-02-22 - Amendment From Applicant Entered

2007-02-22 - Communication received from applicant

2007-02-22 - Assigned To LIE

2007-01-25 - PAPER RECEIVED

2006-08-15 - Non-final action mailed

2006-08-15 - Non-Final Action Written

2006-08-07 - Assigned To Examiner

2006-02-23 - New Application Entered In Tram

---

**ATTORNEY/CORRESPONDENT INFORMATION**

---

**Attorney of Record**

Monique Cheng Joe

**Correspondent**

MONIQUE CHENG JOE  
UNIVERSAL CITY STUDIOS LLLP  
100 UNIVERSAL CITY PLZ # LRW6  
UNIVERSAL CITY, CA 91608-1085  
Phone Number: 8187776260  
Fax Number: 8188661426

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Serial Number: 78816495 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 3396207

Mark

UNIVERSAL RECORDS SOUTH

(words only): [UNIVERSAL RECORDS SOUTH](#)

Standard Character claim: Yes

Current Status: [Registered](#).

Date of Status: 2008-03-11

Filing Date: 2006-02-16

Transformed into a National Application: No

Registration Date: 2008-03-11

Register: [Principal](#)

Law Office Assigned: [LAW OFFICE 106](#)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: 650 -Publication And Issue Section

Date In Location: 2008-02-01

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**LAST APPLICANT(S)/OWNER(S) OF RECORD**

---

1. [Universal City Studios LLLP](#)

**Composed Of:**

The general partner of applicant is USI-UCS Holdings LLLP, a Delaware limited liability limited partnership.



The general partner of USI-UCS Holdings LLLP is Vivendi Universal Entertainment LLLP, a Delaware limited liability limited partners

**Address:**

Universal City Studios LLLP  
100 Universal City Plaza  
Universal City, CA 91608  
United States

**Legal Entity Type:** LIMITED LIABILITY LIMITED PARTNERSHIP

**State or Country Where Organized:** Delaware

---

**GOODS AND/OR SERVICES**

---

**International Class:** 041

**Class Status:** Active

Production, distribution and publishing of music, fan clubs, development and dissemination of educational materials of others in the field of music and entertainment; production of sound recordings; record production; videotape production; publication of books and magazines, entertainment in the nature of ongoing radio programs, entertainment in the nature of live concerts and performances by musical artists and groups, entertainment services, namely, personal appearances by musical groups, musical artists and celebrities; entertainment services in the nature of performances by musical artists through the medium of television programs, radio programs and recordings, entertainment services rendered by musical artists, namely, recording performances; entertainment services, namely, providing a website featuring musical performances, musical videos, photographs, and multimedia materials, entertainment services, namely, providing on-line reviews of music, musical artists and music videos, entertainment services, namely, providing pre-recorded music, information in the field of music and commentary and articles about music, all on-line via a global computer network; conducting entertainment exhibitions in the nature of music festivals, entertainment services, namely, conducting exhibitions in the field of music and the arts; organizing exhibitions for entertainment purposes featuring music and the arts, and publishing of web magazine

**Basis:** 1(a)

**First Use Date:** 2006-05-00

**First Use in Commerce Date:** 2006-05-00

---

**ADDITIONAL INFORMATION**

---

**Disclaimer:** "RECORDS"

**Prior Registration Number(s):**

889475  
1637487  
2098208  
2168031  
2889475

---

**MADRID PROTOCOL INFORMATION**

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(NOT AVAILABLE)

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## PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

2008-03-11 - Registered - Principal Register

2008-02-01 - Law Office Registration Review Completed

2008-01-31 - Assigned To LIE

2008-01-31 - Allowed for Registration - Principal Register (SOU accepted)

2008-01-30 - Statement of use processing complete

2008-01-30 - Extension 1 granted

2007-12-26 - Amendment to Use filed

2007-12-26 - Extension 1 filed

2007-12-26 - PAPER RECEIVED

2007-08-07 - Noa Mailed - SOU Required From Applicant

2007-05-15 - Published for opposition

2007-04-25 - Notice of publication

2007-03-19 - Law Office Publication Review Completed

2007-03-19 - Approved for Pub - Principal Register (Initial exam)

2007-03-16 - Amendment From Applicant Entered

2007-03-16 - Communication received from applicant

2007-03-16 - Assigned To LIE

2007-02-07 - PAPER RECEIVED

2006-08-15 - Non-final action mailed

2006-08-15 - Non-Final Action Written

2006-08-07 - Assigned To Examiner

2006-02-23 - New Application Entered In Tram

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## ATTORNEY/CORRESPONDENT INFORMATION

---

**Attorney of Record**

Monique Cheng Joe

**Correspondent**

MONIQUE CHENG JOE

UNIVERSAL CITY STUDIOS LLLP

100 UNIVERSAL CITY PLZ

UNIVERSAL CITY, CA 91608-1085

Phone Number: 818 777-6260

Fax Number: 818 866-1426

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Serial Number: 76098378 [Assignment Information](#) [Trademark Document Retrieval](#)

Registration Number: 2896020

Mark (words only): UNIVERSAL SMASH HITS

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2010-04-02

Filing Date: 2000-07-31

Transformed into a National Application: No

Registration Date: 2004-10-19

Register: Principal

Law Office Assigned: LAW OFFICE 103

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov)

Current Location: L30 -TMEG Law Office 103

Date In Location: 2010-04-02

---

#### LAST APPLICANT(S)/OWNER(S) OF RECORD

---

1. [UNIVERSAL CITY STUDIOS LLLP](#)

**Address:**

[UNIVERSAL CITY STUDIOS LLLP](#)  
[100 UNIVERSAL CITY PLAZA 1280 6TH FLOOR](#)  
[UNIVERSAL CITY, CA 91608](#)  
[United States](#)

**Legal Entity Type:** [Corporation](#)

**State or Country of Incorporation:** [Delaware](#)

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#### GOODS AND/OR SERVICES

---

**International Class:** [009](#)

**Class Status:** [Active](#)

[MUSICAL SOUND RECORDINGS](#)

**Basis:** [1\(a\)](#)

**First Use Date:** [2000-09-00](#)

**First Use in Commerce Date:** [2000-09-00](#)

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#### ADDITIONAL INFORMATION

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**Disclaimer:** ["HITS"](#)

**Prior Registration Number(s):**

[2098208](#)

[2168031](#)

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#### MADRID PROTOCOL INFORMATION

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(NOT AVAILABLE)

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#### PROSECUTION HISTORY

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**NOTE: To view any document referenced below, click on the link to "Trademark Document Retrieval" shown near the top of this page.**

[2010-04-02 - Section 8 \(6-year\) accepted & Section 15 acknowledged](#)

[2010-01-11 - Section 8 \(6-year\) and Section 15 Filed](#)

[2010-01-11 - Section 8 \(6-year\) and Section 15 Filed](#)

[2010-04-01 - Case Assigned To Post Registration Paralegal](#)

[2010-01-11 - PAPER RECEIVED](#)

[2009-12-30 - Section 7 correction issued](#)

[2009-12-30 - Case Assigned To Post Registration Paralegal](#)

[2009-12-14 - TEAS Section 7 Request Received](#)

[2004-10-19 - Registered - Principal Register](#)

[2004-08-23 - Law Office Registration Review Completed](#)

[2004-08-18 - Assigned To LIE](#)

[2004-08-07 - Allowed for Registration - Principal Register \(SOU accepted\)](#)

2004-07-12 - Assigned To Examiner

2004-06-17 - Statement of use processing complete

2004-06-03 - Amendment to Use filed

2004-06-15 - Case File In TICRS

2004-06-03 - PAPER RECEIVED

2004-01-13 - Extension 5 granted

2003-12-10 - Extension 5 filed

2003-12-10 - PAPER RECEIVED

2003-08-01 - Extension 4 granted

2003-05-19 - Extension 4 filed

2003-05-19 - PAPER RECEIVED

2003-02-11 - Extension 3 granted

2002-12-09 - Extension 3 filed

2002-12-09 - PAPER RECEIVED

2002-06-06 - Extension 2 granted

2002-05-16 - Extension 2 filed

2002-05-20 - PAPER RECEIVED

2002-01-24 - Extension 1 granted

2002-01-07 - Extension 1 filed

2001-07-31 - Noa Mailed - SOU Required From Applicant

2001-05-08 - Published for opposition

2001-04-25 - Notice of publication

2001-01-23 - Approved for Pub - Principal Register (Initial exam)

2001-01-19 - Examiner's amendment mailed

2001-01-08 - Assigned To Examiner

---

## ATTORNEY/CORRESPONDENT INFORMATION

---

### **Attorney of Record**

[Anne B. Nielsen](#)

### **Correspondent**

[ANNE B. NIELSEN](#)

[UNIVERSAL CITY STUDIOS, INC.](#)

[100 UNIVERSAL CITY PLAZA](#)

[UNIVERSAL CITY, CALIFORNIA 91608](#)

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**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Assignments on the Web > Trademark Query****Trademark Assignment Abstract of Title****Total Assignments: 4****Serial # :** [76098378](#)**Filing Dt:** 07/31/2000**Reg # :** [2896020](#)**Reg. Dt:** 10/19/2004**Registrant:** UNIVERSAL CITY STUDIOS LLLP**Mark:** UNIVERSAL SMASH HITS**Assignment: 1****Reel/ Frame:** [2595/0969](#)**Received:** 10/10/2002**Recorded:** 10/07/2002**Pages:** 15**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [UNIVERSAL CITY STUDIOS, INC.](#)**Exec Dt:** 05/01/2002**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** LIMITED LIABILITY**Citizenship:** NONE**Assignee:** [USI-UCS HOLDINGS LLC](#)

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CALIFORNIA 91608

**Correspondent:** ANNE B. NIELSEN

LRW-6TH FLOOR

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CA 91608

**Assignment: 2****Reel/ Frame:** [2628/0885](#)**Received:** 12/05/2002**Recorded:** 12/02/2002**Pages:** 15**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [USI-UCS HOLDINGS LLC](#)**Exec Dt:** 05/01/2002**Entity Type:** LIMITED LIABILITY COMPANY**Citizenship:** DELAWARE**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Assignee:** [USI ENTERTAINMENT INC.](#)

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CALIFORNIA 91608

**Correspondent:** ANNE B. NIELSEN

100 UNIVERSAL CITY PLAZA

UNIVERSAL CITY, CA 91608

**Assignment: 3****Reel/ Frame:** [2716/0586](#)**Received:** 04/23/2003**Recorded:** 04/21/2003**Pages:** 4**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [USI ENTERTAINMENT INC.](#)**Exec Dt:** 04/15/2003**Entity Type:** CORPORATION**Citizenship:** DELAWARE**Entity Type:** LIMITED LIABILITY LIMITED  
PARTNERSHIP**Citizenship:** NONE**Assignee:** [UNIVERSAL CITY STUDIOS LLLP](#)

100 UNIVERSAL CITY STUDIOS

LRW-6TH FLOOR

UNIVERSAL CITY, CALIFORNIA 91606

**Correspondent:** ANNE B. NIELSEN

100 UNIVERSITY CITY PLAZA

LRW-6TH FLOOR

UNIVERSAL CITY, CA 91606

**Assignment: 4****Reel/ Frame:** [2733/0673](#)**Received:** 05/15/2003**Recorded:** 05/13/2003**Pages:** 4**Conveyance:** ASSIGNS THE ENTIRE INTEREST**Assignor:** [USI ENTERTAINMENT INC.](#)**Exec Dt:** 05/07/2003**Entity Type:** CORPORATION**Citizenship:** DELAWARE



**Assignee:** [UNIVERSAL CITY STUDIOS LLLP](#)

100 UNIVERSAL CITY PLAZA

1280 - 6TH FLOOR

UNIVERSAL CITY, CALIFORNIA 91608

**Entity Type:** LIMITED LIABILITY LIMITED  
PARTNERSHIP**Citizenship:** NONE**Correspondent:** ANNE B. NIELSEN

100 UNIVERSAL CITY PLAZA

1280 - 6TH FLOOR

UNIVERSAL CITY, CA 91608

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Web interface last modified: October 18, 2008 v.2.0.2

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## **CERTIFICATE OF SERVICE**

I hereby certify that on this 19<sup>th</sup> day of January 2011, I caused a true and correct copy of the foregoing NOTICE OF OPPOSITION to be sent by U.S. Express Mail, postage pre-paid, in an envelope addressed to the correspondent of record for the opposed application:

JOCELYN M. BELLONI  
DONAHUE GALLAGHER WOODS LLP  
591 REDWOOD HWY FRONTAGE RD STE 1200  
MILL VALLEY, CA 94941-6000



---

David Donahue